

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

RAYMOND LAVIGNE

PLAINTIFF

V.

CIVIL ACTION NO. 4:21-cv-00060-NBB-JMV

AMERICAN TRANZ AND
PREM BAHADUR RAI

DEFENDANTS

ORDER

This cause comes before the court, *sua sponte*, for entry of an order vacating a prior order of the court. On November 15, 2022, this court granted the plaintiff's motion to allow his treating physicians to testify via live video stream at trial [146]. The plaintiff moved, alternatively, to allow the physicians' trial depositions to be taken. Initially the court granted the plaintiff's primary motion for the grounds set forth by the plaintiff in support thereof and also because the December 5, 2022 trial date was approaching, making the taking of further depositions an unfavorable alternative [152]. The court, however, subsequently continued the trial, to be reset in the new year. Thus, time for further depositions is now available. The court therefore reconsiders its original ruling, having some experience with live video stream testimony, out of necessity, during the COVID-19 pandemic, and finding such a practice less than ideal and sometimes fraught with technical difficulties which delayed the proceedings.

Accordingly, the court vacates its original order granting the primary relief requested in the plaintiff's motion and grants the alternative relief sought by the plaintiff in the same motion [146]. The plaintiff is hereby granted thirty (30) days to take the trial depositions of his treating physicians at a time, place, and in a manner agreeable to all parties.

SO ORDERED AND ADJUDGED this 22nd day of December, 2022.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.

UNITED STATES DISTRICT JUDGE